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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,090	10/15/2001	David A. Baldwin	58032.000004	2706
7590 12/22/2004			EXAMINER	
Ensoport Internetworks 2401 Pennsylvania Ave., NW 300 Washington, DC 20037			AHMED, FAROOQUE	
			ART UNIT	PAPER NUMBER
			2157	
DATE MAILED: 12/22/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,090

Applicant(s)

BALDWIN ET AL.

Examiner

Farooque Ahmed

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the application filed 06/29/2001. Claims 1-21 are pending. Claims 1-21 represent Techniques for enabling an internet services provider to perform office operations and functions

Specification

2. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

DETAILED ACTION

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Art Unit: 2157

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-13 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility.

The invention disclosed in the specification describes a method of creating an ISP where the ISP may be WWW, e-mail access, internet web hosting etc... The disclosure does not describe or explain how the ISP is being created.

The disclosure also does not show how one of the ordinary skill in the art would use the GUI described in the disclosure to create an ISP.

Claim 1-13 are also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The invention disclosed in the specification describes a method of creating an ISP where the ISP may be WWW, e-mail access, internet web hosting using a GUI. The disclosure does not describe or explain how the ISP is being created.

The disclosure also does not show how one of the ordinary skill in the art would use the GUI described in the disclosure to create an ISP.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-13 are rejected under 35 USC § 102(e) as being anticipated by Gacek et al., U.S. patent no. 6,795,205

.As claim 1, Gacek teaches a method for creating ISP service offerings that group ;

a)world wide web (WWW) internet access,(see col.18 lines 48-65 , Gacek disclosed world wide web);

b)electronic mail access (see col.1 lines 42-54 Gacek disclosed providing e-mail access through internet);

c)internet web hosting space (see col.1 lines 25-67; col. 2 lines 1-10 Gacek disclosed a web hosts on clients);

d)future ISP service offerings that can be collected upon as either a flat rate recurring revenue or a fluctuating recurring revenue based upon usage patterns (see col.4 lines 55-67, Gacek disclosed ISP and fixed s amount rate based on of used).

As claim 2 Gacek teaches method as recited in claim1, wherein users interact with the system through localized graphical user interface (GUI) (See col. 2 lines 50 –67;col 3,Gacek disclose user accesses the Internet through web browser).

As claim 3, teaches a system as recite in claim1, for, provisioning services defined (See col.1 lines 25, Gacek teaches -61 Gacek disclosed provide access e-mail).

As claim 4, Gacek teaches a system as recite claim 3, wherein services are provisioned from a central data center (See col.7 lines 46-67, Gacek disclosed e-mail provide from devices).

As claim 5, Gacek teaches a system as recite claim 3, wherein services are provisioned over a data network to geographically disperse sets of specified hardware (See fig1, 3, col5. lines45- 67 col. 6 lines 1-67, Gacek disclosed internet service with cable network).

As claim 6, as Gacek teaches a billing system as recite claim, 1 to create a cohesive bill statement based upon the service offerings (see col. 1 lines 25-40, Gacek disclosed multiple billing statement over internet).

As claim 7, Gacek teaches system of claim 6, wherein customers are billed in local currency (see col. 1 lines 25-40, Gacek disclosed customer access the billing statement over credit card on internet).

As claim 8, Gacek teaches a system of claim 6, wherein customers are presented with localized bill (see col. 1 lines 25-40, Gacek disclosed multiple billing statement with coupon).

As claim 9, Gacek teaches a system of claim 6, wherein multiple billing periods may be defined (see col.1 lines 25-40, Gacek disclosed multiple billing data information statement over Internet to user).

As claim 10, Gacek teaches a system of claim 6, wherein the each billing period may have a differing length (see, col 1. lines 20-67 Gacek disclosed different billing data information statement).

As claim 11, Gacek teaches a collection system as recite claim, 6 for managing collections against bills generated in accordance (see col. 1 lines 55-67; col 10, lines 18-57, Gacek disclosed managed billing payment system).

As claim 12, Gacek teach a system as recited in claim 11, wherein credit card transactions are automatically processed by transfer to a third party credit card processing system (See col 14. lines 12-55, Gacek disclosed credit card payment in third part).

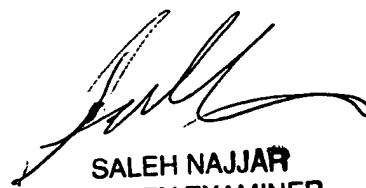
As claim 13, Gacek system method as recited in claim1, wherein cash and check transactions are authorized by a third party vendor and collection information is stored in the system (see fig 7,8, col. 16 lines 4-25; col.17 lines 30-45, Gacek disclosed payment by the third part on internet application are authorized and such information is stored in CHE directory).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farooque Ahmed whose telephone number is 703-605-4212. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Farooque Ahmed
ART UNIT 2157



SALEH NAJJAR
PRIMARY EXAMINER